

SPECIAL COUNCIL MEETING

APRIL 1, 2015

The Special Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Mel Rapozo at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, April 1, 2015 at 8:35 a.m., after which the following members answered the call of the roll:

Honorable Mason K. Chock (*present at 8:50 a.m.*)
Honorable Arryl Kaneshiro
Honorable KipuKai Kuali'i
Honorable JoAnn A. Yukimura (*present at 8:44 a.m.*)
Honorable Ross Kagawa
Honorable Mel Rapozo

Not Present: Honorable Gary L. Hooser

Council Chair Rapozo: What is up with the other three members?
Did they call?

SCOTT K. SATO, Council Services Review Officer: Councilmember Chock is running fifteen (15) minutes late.

Council Chair Rapozo: And the other two members – no word. Thank you. Can we have the first item?

APPROVAL OF AGENDA.

Councilmember Kagawa moved for approval of the agenda as circulated, seconded by Councilmember Kaneshiro, and unanimously carried (*Councilmember Chock, Councilmember Hooser, and Councilmember Yukimura were not present*).

INTERVIEWS:

FIRE COMMISSION:

- Mari L. Yokoi – Term ending 12/31/2017

Council Chair Rapozo: Welcome. You look nervous. Thank you for being here today and thank you for expressing interest in the Fire Commission. Is this your first time here?

MARI L. YOKOI: Yes.

Council Chair Rapozo: We will give you some time to give us a brief overview of yourself and you can start now. Please start by stating your name for the captioner.

Ms. Yokoi: I was born and raised on O'ahu. I went to Mid-Pacific Institute and then went on to the University of Southern California. I graduated in four years with a BA (Bachelor of Arts) in Psychology and moved here two years ago, roughly, and I currently work at Hawai'i Gas.

Council Chair Rapozo: Thank you very much. Any questions for Mari? This may be the shortest interview of your career. Were you provided with the Charter and you are obviously interested in serving?

Ms. Yokoi: Yes.

Council Chair Rapozo: Thank you very much. Councilmember Kagawa.

Councilmember Kagawa: Thank you, Mari, for being willing to serve on this Commission. It is no secret that the County is struggling financially right now for the past three years. We are not where we were seven years ago when we had fifty million dollars (\$50,000,000) in our savings. One of the biggest areas that is causing this is the rise in cost for Fire and Police. I am wondering if you can comment on your feelings on whether you would be willing to look at the Commission from the financial perspective and see where we can do more with less. You are with Hawai'i Gas and I am sure that part of your job is to be efficient as possible and try to cut waste. Are you willing to add to that ability of the Fire Commission because we are struggling? There are firehouses in the mainland that have actually closed and they have turned some into volunteer basis where they are paid when there are emergencies or what have you. It is not only us that are struggling but for Kaua'i, we never cut, we just grow. I am worried for the future. How long can we pay these salaries? The average salaries are over a hundred thousand dollars (\$100,000). I am wondering if you are willing to look at it from that standpoint, going forward long-term, and I am wondering if you can add to the Fire Commission in trying to look at some long-term financial solutions at least to stabilize their budget. At some point, it has to stop growing by millions every year because it is not sustainable.

Ms. Yokoi: Definitely. All I can do is go there, see what is presented, learn, and do my best.

Councilmember Kagawa: I appreciate that. Thank you.

Council Chair Rapozo: Any further questions? If not, thank you very much. Staff will be in touch with you.

POLICE COMMISSION:

- Savita Agarwal – Term ending 12/31/2017

Council Chair Rapozo: I know you have been here before. It looks like you are moving from one Commission...you served on the Fire Commission.

SAVITA AGARWAL: Yes.

Council Chair Rapozo: And now we are looking at you serving on the Police Commission. With that, you have the floor.

Ms. Agarwal:

Should I tell you about myself again?

Council Chair Rapozo:
little bit about yourself.

Just state your name for the record and say a

Ms. Agarwal: By profession, I am a trained scientist. Now, I do life coaching and empowerment coaching for women. I have been living on this island for over ten years, and I am married to Dr. Kumar, so most of you know me as Mrs. Kumar. When some saw my name as Agarwal, they did not know who I was. I am deeply appreciative of all your services. I am honored to have earned the trust of the Honorable Mayor to first nominate me as a Fire Commissioner, and now to the Police Commission for the County of Kaua'i. As a Fire Commissioner, I have attended the International Conference of the Fire Chiefs and the State level conference. I suggested that the Fire Commission, and Commissioners from the different Counties meet to exchange their ideas and knowledge. Chief Manuel P. Neves from O'ahu welcomed the idea and has agreed to have these meetings. I am proud to mention some of the highlights of the Fire Department: installation of the ocean safety video in the baggage claim at the airport. This video can be added to the flights as well. The Department is in the process of getting National accreditation, succession planning, and encouraging the firefighters to attend the National Fire Academy for advance training and professional development. It has been a gratifying experience to serve my community as a Fire Commissioner. I am ready to take the challenge as a Police Commissioner. Some of those challenges are: to keep the island community safe, to address the concerns of the community, to promote harmony between the Police Department and the community, and to keep our island a peaceful place for all residents and visitors so we can all enjoy the blessings of this island paradise. I understand that the Commission is an advisory body overseeing the goals of the Police Department, which are: partnership of community and the Department, display of integrity, respect, and professionalism by the members of the Department, review the budget and make recommendations to the Mayor, receive and investigate the complaints by the public against the conduct of the police officers. I am aware of the services, risks, and challenges faced by our officers and Police Department. My heart grieves for victims of domestic violence including our *keiki* and the innocent victims of motor vehicle accidents on our roadways and highways. The potential of our youth loss due to drug and alcohol addiction, teenage pregnancy, and these problems have impelled me to do my services for the community as a police commissioner. I believe that as a life coach, I am empathetic and understand the turmoil in the lives of the women in our community. *Mahalo* for your time, attention, and kindness.

Council Chair Rapozo: Thank you so much. Savita, I saw you last night and you probably noticed that I was surprised when you told me that you were going to be here today. I do not know if you noticed that I tried to cover it up...simply

because the last name on the agenda did not ring a bell. I either missed it on the agenda, or this lady is confused. Obviously, you were not confused and I just did not put two and two together. Thank you for being here and agreeing to serve. Any questions for Savita? Councilmember Kagawa.

Councilmember Kagawa: Thank you, Savita. Part of our job when we ask questions is because we have some members of the public asking us to ask the questions, and if we deem it appropriate, we will ask it. One of the questions that came up was why would Ms. Kumar want to switch commissions when she is not even finished with her term, and is this the practice of the County to allow commission members to move when they see something that perhaps interests them more? I am wondering what your response to that is.

Ms. Agarwal: As I mentioned earlier, I am gratified with the time that I spent and the achievements of the Fire Department and they have made some changes. I told you that my heart goes out to the victims of domestic violence and what is happening to our youth because of the drug problem, teenage pregnancy, motor vehicles accidents, and because of all that I feel I need to do my part as a community member. I think I do it now at as a Police Commissioner.

Councilmember Kagawa: Did you ask the Mayor to move or did the Mayor ask you?

Ms. Agarwal: As I mentioned, the Honorable Mayor had the trust in me to nominate me as a Fire Commissioner first and then as a Police Commissioner.

Councilmember Kagawa: Okay. It is very unusual and that is why I am asking. You sound a little irritated at that.

Ms. Agarwal: No, I am not irritated.

Councilmember Kagawa: It is very unusual for someone to be in mid-term to move to another commission.

Ms. Agarwal: My interest is community, women, and children. I did that with the Fire Commission but Police Commission has way more responsibility in that area.

Councilmember Kagawa: I understand.

Ms. Agarwal: That is my passion and the Mayor is aware of my passion.

Councilmember Kagawa: Thank you.

Council Chair Rapozo: Thank you. And the passion is evident.
Councilmember Yukimura.

Councilmember Yukimura: *Aloha* Savita. As I told you last night, I am so thrilled that you are being appointed to the Police Commission and I agree with you that their *kuleana* is much more aligned with your interests and concerns. You have here on your application that you see the Commission as an advisory board. You are aware that the Commission plays more than an advisory role.

Ms. Agarwal: Yes.

Councilmember Yukimura: And you are aware of the functions *vis-à-vis* the Police Chief?

Ms. Agarwal: Yes, hiring and firing of the Police Chief.

Councilmember Yukimura: Yes.

Ms. Agarwal: Yes.

Councilmember Yukimura: Besides giving advice, the Commission has actually a definitive role in selecting who will head the Police Department.

Ms. Agarwal: Yes, I am aware of it.

Councilmember Yukimura: I do not know if you are aware of what, I think, is the history of the Police Commission. As I understand it, it was to serve as a body of lay people between the community and the paramilitary organization.

Ms. Agarwal: Could you repeat that question?

Councilmember Yukimura: Yes, it is not quite a question. It is just a sharing of the background of my understanding of the origins of the Police Commission. Because the Police Department is paramilitary, they have the power of life and death, guns, and badges, the Police Commission was meant to be a lay body that is a buffer or representative of the community. Similar to the structure at the federal level where a civilian president is the check, if you will, on a paramilitary body. Anyway, you are perfect for the role because it is about representatives of the community sitting on a body that oversees or at least through its hiring and firing powers is a check, if you will, on a paramilitary body. Do you have any specific goals that you would like to achieve?

Ms. Agarwal: Harmony between the community and the Department.

Councilmember Yukimura: That is a very good goal. Anything else?

Ms. Agarwal: I believe in prevention. So, any problems that we are facing, with how we can come up with solutions to prevent those before they even arise.

Councilmember Yukimura: Yes, I think that is what we are all trying to do throughout the County.

Ms. Agarwal: Yes.

Councilmember Yukimura: Like our preventive maintenance-resurfacing program for our roads. Okay. Great, thank you very much.

Ms. Agarwal: I believe that there is no problem, which does not have a solution – we just have to look for it. It may take some time but we can always find a solution.

Councilmember Yukimura: Assuming that you will be confirm, it will put two women on the Commission, is that right?

Ms. Agarwal: I think so.

Councilmember Yukimura: A move toward gender equity as well. Thank you very much.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: I do not have a question. I just wanted to thank you for the work that you do in the community, especially for your work in empowerment of women and being a coach there. I know, because of the work that you do with the YWCA (Young Women's Christian Association). Thank you for that and your willingness to serve. Yes, I know in the past we have seen complaints in the newspaper about no women on the police commission and so it is exciting that you are willing to serve in that capacity, and now bringing us to two women on the Commission. Thank you for stepping forward and continuing to serve.

Ms. Agarwal: Thank you.

Council Chair Rapozo: Thank you. Any other questions?
Councilmember Kagawa.

Councilmember Kagawa: When I was asking about the move, Paula had raised her hand up. I was wondering if she wanted to share something.

Council Chair Rapozo: Sure.

PAULA M. MORIKAMI, Boards & Commissions Administrator: Actually, when Savita approached our Office to serve, she was interested in the Police Commission initially and there were no vacancies available. We thought maybe she could start off at the Fire Commission, because of all the boards and commissions, the police commission and fire commission rules are pretty much the same except when it comes to the complaints section and how they deal with investigations. Those two particular commissions have similar rules, so she served there for two years and there were no vacancies so when this vacancy occurred, we knew her desire was initially to serve on the police commission. That is the reason the changeover and the filling of the police commission position.

Councilmember Kagawa: Thank you. That helps a lot to hear that explanation, but I guess I wanted to clarify and find out, how often has this happened as far as you have been there that you had a person in a commission and something else opened up, and they switched someone else over. Has that ever happened?

Ms. Morikami: It probably has happened, but very rarely and I cannot recall right now when and where, but I am sure it happened. I cannot pinpoint it at this time.

Councilmember Kagawa: In this case, it is nice that you have a female stepping into Savita's old spot, and Mari, she looks like she has that financial background a little bit and that could add to the Fire Commission, so it is a nice exchange. I just wanted to ensure that we have stability and not do that too often as much as possible.

Ms. Morikami: I would say that this is an exception to the rule because as I said initially when she came to meet with me, she wanted to be on the Police Commission and there were no positions, and because of the equity of having more women serving, having equal amount of females and males, or at least bringing the level of females participating, because we have Mary Kay Hertog now serving on the Police Commission, she would be the second woman.

Councilmember Kagawa: Thank you. Great answer.

Council Chair Rapozo: Thank you. I think the gender equity question was up quite a while ago and it made the media. The objective is to get the most qualified person on the commission and we have to open up the funnel for more

females apply because gender equity does not mean taking an unqualified female or male over a qualified female or male. Obviously, she is very qualified and we appreciate that. I appreciate the explanation but I think we need to open up the funnel to get the right balance on all the commissions.

Ms. Morikami:

I totally agree.

Council Chair Rapozo: We are very lucky to have Savita here with her experience being on the Fire Commission and bringing it over to the Police Commission, I think is a huge advantage. Thank you.

Ms. Morikami:

Thank you.

Council Chair Rapozo: I do have a question for Savita, but Councilmember Chock, has a question. For Paula?

Councilmember Chock: I just wanted to thank you, Savita, for your service and sticking with us, and offering the talent that you have. I actually wanted to thank Paula as well for all she is doing for our boards and commissions. I think she has a great insight and we will miss all that she contributes. Thank you.

Council Chair Rapozo: Any other questions? I have just one question, Savita, and if you are not prepared to answer, it is perfectly fine. There is some movement at the State Legislature to remove the power of the police commissions as far as hiring and firing the Chiefs and they want to put that authority with the Mayor's. Do you have a position at this time on that?

Ms. Agarwal:

I think I would like to get more knowledge.

Council Chair Rapozo: about that.

That is fine. I think many people do not know

Ms. Agarwal: information.

I know about that but I would like to get more

Council Chair Rapozo: that today.

And that is fine. I was just thinking about

Ms. Agarwal:

That is a great question, actually.

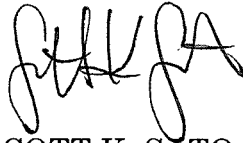
Council Chair Rapozo: It is a very important question because I believe as Councilmember Yukimura stated early on, what the purpose original intent of the police commission was, and this attempt by the Legislature or some of the Legislators, is a very huge departure from that. It puts that authority back in the

political arena which is totally in my opinion irresponsible, but that is just my opinion. Thank you very much, Savita, and you will be notified as soon as we have a resolution.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:55 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SK Sato', written in a cursive style.

SCOTT K. SATO
Council Services Review Officer

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